

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

-----	X		
NANCY BROOKS and JOAN SILVERMAN,	:		
	:		
Plaintiffs,	:	Civil Action	
	:	No. 05-10994-WGY	
v.	:		
	:		
AIG SUNAMERICA LIFE ASSURANCE	:		<u>ORAL ARGUMENT REQUESTED</u>
COMPANY,	:		
	:		
Defendant.	:		
-----	X		

**DEFENDANT AIG SUNAMERICA'S
MOTION FOR SUMMARY JUDGMENT**

Pursuant to Federal Rule of Civil Procedure 56, Defendant AIG SunAmerica Life Assurance Company ("AIG SunAmerica") hereby moves this Court for summary judgment on all three remaining counts in the Complaint. The grounds for this motion are set forth in AIG SunAmerica's memorandum of law and AIG SunAmerica's Local Rule 56.1 Statement, which are submitted herewith.

REQUEST FOR ORAL ARGUMENT

Pursuant to Local Rule 7.1(D), AIG SunAmerica respectfully requests oral argument on this motion.

Dated: January 26, 2006
Boston, Massachusetts

Respectfully submitted,

/s/ James R. Carroll
James R. Carroll (BBO #554426)
Michael S. Hines (BBO #653943)
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AIG SunAmerica Life Assurance Company

LOCAL RULE 7.1 CERTIFICATION

I, Michael S. Hines, hereby certify that I conferred with counsel for plaintiffs on January 26, 2006 but could not obtain counsel's agreement to the specific relief sought by this motion.

Dated: January 26, 2006

/s/ Michael S. Hines
Michael S. Hines

CERTIFICATE OF SERVICE

I, Michael S. Hines, hereby certify that a true copy of the foregoing Defendant AIG SunAmerica's Motion For Summary Judgment filed through the ECF system will be electronically sent to the registered participants as identified on the Notice of Electronic Filing ("NEF"), and paper copies will be sent by first class mail, postage pre-paid, to those indicated as non-registered participants on the NEF on January 26, 2006.

Dated: January 26, 2006

/s/ Michael S. Hines
Michael S. Hines